

## **Sec. 907.00 Products and Services Available to Issuers**

The Exchange offers certain complimentary products and services and access to discounted third-party products and services through the NYSE Market Access Center to currently listed issuers, as described on the Exchange's Web site. The Exchange also provides complimentary market surveillance products and services (with a commercial value of approximately \$45,000 annually), corporate governance tools and advisory services (with a commercial value of approximately \$45,000 annually), corporate governance tools (with a commercial value of approximately \$20,000), Web-hosting products and services (with a commercial value of approximately \$12,000-\$16,000 annually), market analytics products and services (with a commercial value of approximately \$20,000 annually), and news distribution products and services (with a commercial value of approximately \$10,000 annually) to certain categories of currently and newly listed issuers as set forth below:

Currently listed issuers:

Tier One: The Exchange offers (i) a choice of market surveillance, corporate governance tools and advisory services or market analytics products and services, and (ii) Web-hosting products and services to U.S. issuers that have 270 million or more total shares of common stock issued and outstanding in all share classes, including and in addition to Treasury shares, and non-U.S. companies that have 270 million or more shares of an equity security issued and outstanding in the U.S., each calculated annually as of September 30 of the preceding year.

Tier Two: At each such issuer's election, the Exchange offers a choice of market analytics, corporate governance tools or Web-hosting products and services to:

(1) U.S. issuers that have 160 million to 269,999,999 total shares of common stock issued and outstanding in all share classes, including and in addition to Treasury shares, calculated annually as of September 30 of the preceding year; and

(2) non-U.S. companies that have 160 million to 269,999,999 shares of an equity security issued and outstanding in the U.S., calculated annually as of September 30 of the preceding year.

Newly listed issuers:

Tier A: For issuers with a global market value of \$400 million or more, the Exchange offers either market surveillance products and services for a period of 12 calendar months from the date of listing, or a choice of market analytics products and services or corporate governance tools for a period of 24 calendar months from the date of listing, at each issuer's election. If, at the end of the 12-month period, an issuer that has selected market surveillance

products and services meets the qualifications of a Tier One issuer, then the issuer may continue to receive such products and services for an additional 12 months as a newly listed issuer under this section. In addition, for a period of 24 calendar months from the date of listing, the Exchange offers Web-hosting and news distribution products and services to such issuers.

Tier B: For issuers with a global market value of less than \$400 million, the Exchange offers Web-hosting and news distribution products and services for a period of 24 calendar months from the date of listing.

Global market value for a newly listed issuer is based on the public offering price; if there is no public offering in connection with listing on the Exchange, then the Exchange shall determine the issuer's global market value at the time of listing for purposes of determining whether the issuer qualifies for Tier A or B.

At the conclusion of the 24-month period, Tier A and Tier B issuers receive Tier One or Tier Two products and services if they qualify based on total shares of common stock (for a U.S. issuer) or equity security (for a non-U.S. issuer) issued and outstanding as described above under the heading "Currently listed issuers."

In addition to the foregoing, the Exchange provides all listed issuers with complimentary access to data room services and virtual investor relation tools (with a commercial value of approximately \$15,000-\$20,000 annually).

Issuers may elect whether or not to receive products and services for which they are eligible under this Section 907.00. For the purposes of this Section 907.00, the term "newly listed issuers" means any U.S. company that lists common stock on the Exchange for the first time, and any non-U.S. company that lists an equity security on the Exchange under Section 102.01 or 103.00 of the Manual for the first time, regardless of whether such U.S. or non-U.S. company conducts an offering, but excludes any company that transfers its listing from another U.S. securities exchange. "Newly listed issuer" also means any U.S. or non-U.S. company emerging from a bankruptcy, spinoff (where a company lists new shares in the absence of a public offering), and carve-out (where a company carves out a business line or division, which then conducts a separate initial public offering). For purposes of Section 907.00, an "equity security" means common stock or common share equivalents such as ordinary shares, New York shares, global shares, American Depositary Receipts, or Global Depositary Receipts.